

# CONSTITUTION OF THE TOOELE COUNTY DEMOCRATIC PARTY

## PREAMBLE

In accordance with the laws of the State of Utah, the purposes in the Charter of the Democratic Party of Utah and in recognition of the organization and procedures by which the Party conducts its business, as contained in the Utah Democratic Party Constitution, we, members of the Democratic Party in Tooele County, hereby set forth the organization and procedures by which the Tooele County Democratic Party shall conduct its business.

## ARTICLE I

### THE PARTY CAUCUS

- A. In each Voting Precinct, a Party Caucus shall be called and conducted each even-numbered year, to elect Voting Precinct Officers, including Delegate(s). All such Officers, including Delegate(s), must be citizens who will be 18 years old by the next general election and a resident of the Voting Precinct in which the Party Caucus is held. All such Officers and Delegates may **not** be registered members of another organized party.
- B. The elections conducted at a Party Caucus may be challenged. The aggrieved party shall lodge a complaint in writing with the County Vice-Chairperson, or with any other member of the County Rules Committee within two (2) days after the Caucus, specifying the reason for the challenge. The Rules Committee shall promptly investigate all complaints and make its recommendation to the County Central Committee, which shall rule on challenged elections.
- C. If a Voting Precinct fails to hold a Party Caucus, or a Precinct has not elected the allotted number of Precinct Delegates, Delegate(s) may be appointed by the Central Committee. Voting Precinct Officers may be appointed by the County Chairperson.
  1. If possible, persons wishing to be appointed delegates by the Central Committee should submit a written request to the County Party Chairperson in advance of the County Convention so their eligibility can be verified prior to convention.
  2. Persons presenting themselves to be delegates on the evening of the convention must have their eligibility verified at the Central Committee Meeting, held immediately prior to the convention, where they will be appointed to be delegates by the Central Committee.

## ARTICLE II

### DUTIES OF VOTING PRECINCT OFFICERS

The Voting Precinct officers elected at the Party Caucus shall be: Chairperson, Vice-Chairperson, Secretary and Treasurer (these latter two positions may be combined). At least two (but not more than five) Central Committee members can reside in a single voting precinct. And Delegate(s) to the County Party's Primary and Organizing Conventions shall be elected, the number of which (the number assigned to the Precinct) shall be determined by the County Executive Committee and based on the number of registered voters in the precinct as a percentage of total registered voters. No voting precinct shall have less than one delegate to the County Conventions.

- A. REPLACEMENT OF VOTING PRECINCT OFFICERS:
  1. In the event of a vacancy in the office of Chairperson, the Vice-Chairperson shall become Chairperson.
  2. In the event of a vacancy in the office of Vice-Chairperson or Secretary, the Party Chairperson shall appoint a qualified replacement and certify that person's name to the Central Committee.
  3. If a duly elected Delegate dies, moves out of the Voting Precinct, resigns or otherwise becomes disqualified, the Central Committee shall fill these vacancies from qualified members of the party residing in the Voting Precinct.

4. The Delegate(s) shall also assist the Voting Precinct Officers with the Party work in the Voting Precinct.

ARTICLE III

COUNTY ORGANIZING CONVENTION

- A. Before the date set for the Utah State Organizing Convention in each year that a general election is not to be held, the Tooele County Democratic Party Organizing Convention shall be held.
- B. The Tooele County Democratic Party shall provide public notice detailing the time and place of its County Organizing Convention to each delegate elected or chosen to that party's County Primary Convention held the previous year.
  1. The notice shall be in substantially the following form:

Notice of the Organizing Convention  
of the Tooele County Democratic Party

Notice is hereby given that the County Organizing Convention of the Democratic Party for Tooele County will be held at \_\_\_\_\_ in \_\_\_\_\_ at \_\_\_ o'clock \_\_.M. on \_\_\_\_\_, the \_\_\_ day of \_\_\_\_\_, 20\_\_\_. At this Convention, a County Chairperson, Vice-Chairperson, Secretary and Treasurer to serve for the ensuing two years will be chosen and other Party affairs may be considered. Delegates to this County Organizing Convention shall be the same persons who were seated as Delegates to the Tooele County Primary Convention which was held last year and who have not died, resigned or been disqualified, as well as any others officially appointed.

A Central Committee Meeting will be held one hour prior to the Organizing Convention at the same location as the Convention.

- C. At the time and place designated for the Tooele County Democratic Party Organizing Convention, the Delegates to this Convention shall convene at the place designated by the party and there organize.
- D. The Delegates to each Tooele County Democratic Party Organizing Convention shall elect a County Chairperson, a Vice-Chairperson, a Secretary and a Treasurer, and may take any other action pertaining to the affairs of the County Party as deemed proper.
- E. The Delegates to the State Organizing Convention of each Party shall be the same persons who were Delegates to the State Primary Convention that was held the year before, unless replaced.

ARTICLE IV

COUNTY PRIMARY CONVENTION

- A. At least two weeks before the State Democratic Party Primary Convention in each even-numbered year, the Delegates elected by the Tooele County Democratic Party at the Precinct Party Caucuses shall convene at a County Primary Convention at a time and place designated by the County Democratic Party Executive Committee.
- B. At the County Democratic Party Primary Convention, the Delegates shall organize and select nominees to run on the Party ticket at the regular Primary Election. The percent of votes required for endorsement by the Tooele County Democratic Party without a primary shall be sixty-six percent (66%). If a Primary Election is required, all candidates shall agree in writing not to mount a campaign against the winning candidate.
- C. Where the number of candidates filing declarations of candidacy is not greater than the number of nominees required for the next general election, those candidates shall be allowed to address the convention or caucus, as appropriate, seeking confirmation of the Tooele County Democratic Party nomination. If the candidate receives a majority of the vote of those delegates voting, the candidate shall be declared to be the Party's nominee for that office and shall not be required to stand for election at the Primary Election. Should the candidate receive less than a majority of the votes cast for confirmation, there shall be no Democratic Party nominee.

- D. Where the number of candidates is greater than the number of nominees required for the next General Election, there shall be nominating and seconding speeches made on behalf of the candidate and the candidate shall be allowed to address the convention or caucus, as appropriate. Then the Delegates who reside in that voting Precinct to be represented by the candidate shall vote by secret ballot. Voting and the announcement of the voting shall be as follows:
1. The Delegate shall obtain the ballot from a member of the Registration of Elections Committee.
  2. After voting the ballot, the Delegate shall dispose of the ballot as provided for by the Registration or Elections Committee.
  3. The official ballots shall then be transmitted to the members of the Election Committee for tabulation.
  4. The results of the ballot shall be determined as follows:
    - a. If a candidate receives sixty-six percent (66%) or more of the votes cast at the Primary Convention, then the candidate shall become the party's nominee in the General Election without the necessity of standing for election in the Primary Election; or
    - b. If there were more than two candidates seeking the party's nomination and no candidate receives sixty-six percent (66%) or more of the votes cast at the Primary Convention, the Convention shall use multiple ballots. The two candidates receiving the highest number of votes shall be placed on a second ballot. If one candidate receives sixty-six percent (66%) or more of the votes cast at the Primary Convention, the candidate shall become the Party's nominee in the General Election without the necessity of standing for election in the Primary Election; or
    - c. If no candidate receives sixty-six percent (66%) or more of the votes cast, or there were only two candidates on the initial ballot in which no candidate received sixty-six percent (66%) or more of the vote, both candidates shall be declared the Party's nominees to stand for election at the next Primary Election.
    - d. Voting shall remain open for successive ballots after the first as provided for in the Rules adopted for Governing the Convention.
- E. At the County Democratic Party Primary Convention, the Delegates shall also select the Delegates to the Party's State Primary Convention. All County Party Officers and Elected Democratic County or State Office Holders residing within Tooele County shall be first selected as State Delegates prior to the selection of the remaining State Delegates that Tooele County is entitled to.

#### ARTICLE V

#### COUNTY CENTRAL AND EXECUTIVE COMMITTEES

- A. The members of the Tooele County Central Committee shall consist of: The County Party Officers (Chairperson, Vice-Chairperson, Secretary and Treasurer) and the Chairperson and Vice-Chairperson elected by the Party in each voting Precinct, unless replaced. In addition, the Central Committee will include County Resident Democrats holding elective office, and past County Executive Committee Officers for tenure of two years following replacement.
- B. No more than five (5) persons from any one voting precinct shall be members of the Central Committee.
- C. A vacancy in the Central Committee, including the office of Chairperson, arising from death, resignation or other cause, shall be filled by the remaining members of the Central Committee, except that the Vice-Chairperson shall in the interim fill the vacancy of the Chairperson until the Central Committee fills that vacancy.
- D. One twentieth (1/20) of the members of the Central Committee shall constitute a quorum.
- E. The Central Committee shall be the policy and decision-making body of Party affairs in the County. All policies and decisions made by the Central Committee shall then be referred to the

Executive Committee for implementation. Upon implementation, a report shall then be made at the next duly scheduled meeting of the Central Committee.

- F. The Executive Committee shall consist of the Democratic Party's County Officers: Chairperson, Vice-Chairperson, Secretary and Treasurer.
- G. The Central Committee shall meet not less than once each year. If more frequent meetings are requested by the Chairperson or any two (2) members of the Executive Committee, then written notice, including the preliminary agenda, shall be mailed to all members at least ten (10) days prior to the meeting.
- H. Items for the Agenda of a regular meeting may be submitted by any member of the Central Committee to one (1) of the County Party officers at least three (3) days before the meeting. Items submitted before preparation of the preliminary agenda shall be entered thereon; the agenda shall be amended to include items submitted thereafter, unless their appearance on the preliminary agenda is required by this Constitution. Any item not on the agenda of a regular meeting shall not be discussed at that meeting, except when presented by a member of the Central Committee and approved by a two-third (2/3) vote of those in attendance.
- I. An emergency meeting of the Central Committee may be called by any two (2) County Party Officers, or by written notice of ten (10) members of the Central Committee. Those who call the meeting must make a bona fide attempt to give at least one (1) day's notice of an emergency meeting to all officers.
- J. There shall be a yearly budget submitted by the Executive Committee of the County Democratic Party at the first Central Committee meeting of the year, for its approval. The Central Committee must thereafter approve, in advance, any expenditure of Party funds over One Hundred Dollars (\$100.00) which has not previously appeared in the budget. Such items shall appear on the preliminary agenda whenever possible. Further, the Central Committee must specifically approve expenditures from the Check-Off account, either within the budget or individually.
- K. In the case of the death, resignation or disqualification of a Democratic candidate or candidates for public office in Tooele County, when replacement is required by law, and emergency meeting of the Central Committee shall be called for this purpose.
- L. If necessary, one (1) regular meeting of the Central Committee shall be held, no more than two (2) weeks before the County Organizing or Primary Convention. The agenda of the meeting shall include the replacement of Voting Precinct Delegate(s) to the County Organizing or Primary Convention who have resigned, died or otherwise become disqualified. Extraordinary sessions of the Central Committee may be called, up to one (1) house prior to the Convention(s) to consider vacancies that have occurred during the period since the last Central Committee meeting and Convention time(s).
- M. The County Central Committee shall rule on challenged Voting Precinct Caucus elections referred to it by the Rules Committee.
- N. A member may resign from the Central Committee or any office or offices of the County Democratic Party. Unless some future date or a certain condition is specified in the resignation, it shall be effective immediately upon receipt by the Secretary or any other County Party Officer. A Voting Precinct Officer of Delegate shall be deemed to have resigned from office if such member ceases to reside in the Voting Precinct from which elected.
- O. The Central Committee shall review all complaints referred to it by the Rules Committee, determine the action to be taken or recommit the matter to the Rules Committee for further investigation or deliberation.

ARTICLE VI  
STANDING COMMITTEES

- A. The Standing Committees of the County Central Committee shall be the Finance Committee and the Rules Committee. Other committees may be formed by the Executive Committee as needed.

- B. The Finance Committee shall be composed of the County Party treasurer and other members as appointed by the Treasurer and shall be approved by the Executive Committee. The Finance Committee shall devise and coordinate means of raising money for the operations of the Tooele County Democratic Party, and shall cooperate with state and national fund-raising operations for the Democratic Party. The Committee shall also raise funds for all candidates directly representing Tooele County, but no cash shall be disbursed to any candidate until the method of financial assistance to candidates is determined by the Central Committee.
- C. The Rules Committee shall be composed of the County Vice-Chairperson who shall serve as the Committee's Chairperson, the County Parliamentarian as an ex officio member and others as appointed by the Committee Chairperson and approved by the Executive Committee. The Rules Committee shall receive challenges to Voting Precinct Caucus elections and make recommendations to the Central Committee. The Rules Committee shall recommend rules for each County Convention and changes in party procedures or rules, including amendments to this Constitution. Adopted amendments to the Tooele County Democratic Constitution must then be dated and signed by the Chairperson and attested to by the Secretary.
- D. A meeting of a Standing Committee may be called by the Chairperson or by any two (2) members, after due notice to its members. A quorum shall be a simple majority of the members present at the meeting. In the absence of the Chairperson, a Standing Committee shall elect a Chairperson Pro Tem from its membership.
- E. The Officers of the Standing Committee shall hold office for two (2) years, or until their successors are elected.

ARTICLE VII  
CONSTITUTION AMENDMENTS

An amendment to this Constitution may be considered at any regular meeting of the County Central Committee, provided said amendment bears the signatures of at least five (5) members of the County Central Committee and provided notice of the proposed amendment has been sent to all Central Committee Members at least three (3) days prior to the meeting when it will be considered. The Chairperson of the Rules Committee shall present the amendment allowing discussion or further amendment. Said amendment shall then be voted upon and shall require ratification by two-thirds (2/3) of those members of the County Central Committee present at said meeting, for passage.

ARTICLE VIII  
BYLAW USAGE AND AMENDMENTS

Bylaws for the Tooele County Democratic Party may be considered and adopted at any regular Central Committee meeting, provided said bylaws or amendments bear the signature of at least three (3) members of the County Central Committee and provided notice of the proposed bylaws or amendments have been sent to all Central Committee members at least one (1) day prior to the meeting when it will be considered. The Chairperson of the Rules Committee shall present the bylaws or amendment following discussion or further amendment. Said amendment(s) shall then be voted upon and shall require ratification of a majority of those members of the County Central Committee present at said meeting, for passage. Bylaws may set out the duties of County Party Officers, and establish procedures for the operation and conduct of the Tooele County Democratic Party not inconsistent with the provisions of this Constitution.

ARTICLE IX  
RULES OF PROCEDURE

The Chairperson shall rule on all matters of procedure with fundamental fairness and the opportunity to be heard as the controlling rationale. The Chairperson's rule may be reversed by a majority vote of those entitled to vote. The Parliamentarian shall advise the Chairperson on matters of procedure as requested, according to the bylaws of the Tooele County Democratic Party.

Adopted this 11 day of April, 2007.

TOOELE COUNTY DEMOCRATIC PARTY

Marianne Rutishauser  
Marianne Rutishauser, Chairperson

ATTEST:

Calleen Peshell  
Calleen Peshell, Secretary

Signed by the following Central Committee Members:

Marianne Rutishauser

Calleen Peshell

Toby Dillon

Valerie Lee

Carina Dillon

## BYLAWS OF THE TOOELE COUNTY DEMOCRATIC PARTY

### ARTICLE I.

#### DUTIES OF COUNTY PARTY OFFICERS

- A. The County Party Officers—Chairperson, Vice-Chairperson, Secretary and Treasurer shall:
1. Be registered voters, residing in Tooele County, and known to be members of the Democratic Party.
  2. Serve to the best of their abilities and maintain a viable working County Organization.
  3. Meet regularly as an Executive Committee of four (4) to determine administrative and other decisions.
  4. Not personally endorse a party candidate until the final Party Slate is chosen (usually after the Primary Election).
  5. Represent County Democrats in public and private matters involving the Democratic Party.
  6. Act in their elected capacities with national, state and other County Democratic organizations.
  7. Encourage and promote qualified Democrats as candidates and in the workings of the County Party at all levels.
  8. Organize County Conventions and Central Committee Meetings and designate Committee assignments thereof.
  9. Any member of the Executive Committee wishing to run for elective office where another democrat has filed for that office must resign their Executive position with the County Democratic Party.
- B. THE COUNTY DEMOCRATIC CHAIRPERSON SHALL:
1. Preside at all meetings of the Central and Executive Committees.
  2. Preside at county conventions.
  3. Call a caucus of the party during conventions and during meetings of the State Central Committee.
  4. Mediate disputes when elected officials or representatives of the County Party are involved.
  5. Under the direction of the County Central Committee, serve for County Democrats as liaison with the Legislature and other government officials.
  6. Lobby for Democratic Programs.
  7. Appoint an Auditing Committee for each quarterly audit.
  8. Appoint a Parliamentarian.
  9. Serve for no more than four (4) consecutive terms.
  10. Serve as a member of the State Central Committee.
  11. Timely select and with the County Party Secretary certify and furnish to the Tooele County Commission one or more names of qualified persons as nominees for registration agent from each Voting Precinct that the Democratic Party received the highest number of total votes for Governor, Lieutenant Governor, Attorney General, State Auditor and State treasurer at the last regular general election at which all of those Officers were elected, excluding the vote for any candidate who had no opposition.
  12. Appoint a Chairperson and others to serve on any other ad hoc committee deemed necessary.
- C. THE COUNTY VICE-CHAIRPERSON SHALL:
1. Act as Chairperson in the absence of the Chairperson.
  2. Occupy the position of Chairperson in the event of the Chairperson's death, resignation or other disqualifications until a successor is elected.
  3. Serve as Chairperson of the Rules Standing Committee.
  4. Assist the County Chairperson with the specific duties of that office.
  5. Serve for no more than four (4) consecutive terms.
  6. Serve as a member of the State Central Committee.
- D. THE COUNTY PARTY TREASURER SHALL:
1. Maintain County Democratic Party financial records, accounting for all funds raised and received by the County, and their expenditures.

2. Submit financial reports to each meeting of the County Central Committee and make financial records available for quarterly audit.
3. Transfer all records and funds to the succeeding Treasurer.
4. Serve as Chairperson of the County Financial Committee.
5. Submit financial reports as required by Utah State Statutes.

E. THE COUNTY PARTY SECRETARY SHALL:

1. Maintain County Democratic Party records of minutes of meetings and other activities.
2. Compile lists of Voting Precinct Officers, with addresses and telephone numbers; keep a record of County Central Committee members, as well as State Central Committee members.
3. Work with the County Clerk's office to ensure compliance with the law by the Party organization.
4. Keep informed on election laws and amendments thereto, notifying the Central Committee at the regular meetings of such changes.
5. Maintain a list of registration agents, election judges and poll watchers; keep a list of all polling, mass meeting and registration locations.
6. Keep record of vacancies in all County Voting Precinct organizations.
7. Transfer all records to the succeeding Secretary.

ARTICLE II.

THE PARTY CAUCUS

- A. It shall be the duty of the incumbent Voting Precinct Chairperson or Precinct Caucus Host to:
  1. Ensure that notice of the time and place of the Caucus is posted as required by law;
  2. Provide a ballot box in advance of the balloting;
  3. Provide a means of clearly posting the names of the candidates for each office prior to the balloting; and
  4. Ensure that all portions of the "Caucus Attender Identification and Volunteer Forms" are filled out by all caucus attendees and are signed by the Precinct Caucus host.
- B. The first order of business of the Party Caucus shall be reading of the official "Call" pursuant to the Constitution of the Utah State Democratic Party, and shall include the purpose and rules of procedure of the meeting.
- C. The Voting Precinct Secretary shall maintain a roster of the names, addresses and telephone numbers of all those who attend the Caucus. This roster shall be used to verify the number of ballots possible and the voting eligibility of each voter. This roster shall also be used in organizing the Voting Precinct.
- D. Persons nominating persons not in attendance at the Caucus must provide written evidence of the nominee's willingness to serve, if elected.
- E. The Precinct Chairperson and/or Vice-Chairperson may also be elected to the position of Delegate.
- F. Balloting or the opportunity therefore shall continue for at least one hour after the time the meeting opens for business. No citizen who will be 18 years old by the next general election and residing in the Precinct shall be denied the right to vote within that time, whether for failure to attend the entire Caucus, or for any other reason.

ARTICLE III

DUTIES OF VOTING PRECINCT OFFICERS

A. THE VOTING PRECINCT CHAIRPERSON SHALL:

1. Participate as a member of the County Democratic Central Committee and attend Central Committee meetings;
2. Organize the Voting Precinct and know the Democrats in it, making certain that each is registered and votes;
3. Recruit people for volunteer work;
4. Help Democratic Party candidates campaign in your precinct; and
5. Notify other Precinct Delegates and Democrats of meetings and events.

- a. To fulfill these functions, the Chairperson shall:
    - i. Make use of the roster of Democrats in the Voting Precinct;
    - ii. Obtain a voting Precinct registration list from the County Clerk or the County Executive Committee, and utilize such other lists or directories as may be available; and
    - iii. Ensure that a list card file, compiled from the above and other sources, of names, addresses, telephone numbers and other relevant information, is maintained by the Precinct Secretary.
  6. Timely select and submit the names of three (3) qualified electors from the Voting Precinct, together with their addresses, to the County Chairperson or County Party Secretary as nominees for registration agent when the Democratic Party is entitled to have registration agent(s) appointed in the Voting Precinct. Know the place, dates and procedures for registration of voters.
  7. Timely select and submit names and addresses of registered voters from the Voting Precinct to the County Chairperson or County Party Secretary as nominees for election judges.
  8. Timely select and submit names to the County Chairperson as nominees for poll watchers.
  9. Recruit volunteers from each Voting Precinct for telephoning, mailing, typing, etc., as needed by the County Central Committee.
  10. Encourage and promote qualified candidates.
  11. Raise money for the operation of the County Democratic Party and, in conjunction with the Voting Precinct Treasurer, cooperate with all party fund-raising projects.
  12. Fulfill the duties pertaining to the holding of the Party Caucus in the Voting Precinct.
- B. THE VICE-CHAIRPERSON SHALL:
1. Participate as a member of the County Democratic Central Committee.
  2. Assist the Chairperson in the performance of the other duties listed in Section A of Article II.
  3. Shall perform such duties in the absence or incapacity of the Chairperson, or if the Chair should give up the position.
- C. THE SECRETARY SHALL:
1. Assist the Voting Precinct Chairperson and Vice-Chairperson in performing their duties.
  2. Keep a record of Voting Precinct activities and maintain a list or card file of the name, address and telephone number of each Democrat living in the Voting Precinct, and of other relevant information.
  3. These records shall be made available to County Party officers when requested and shall be transferred to the succeeding Secretary.
- D. THE TREASURER SHALL:
1. Maintain the Democratic Party Voting Precinct financial records; account for all funds raised by the Democratic Party in the Voting Precinct.
  2. Assist other Officers with fund-raising efforts, ticket selling, etc.
  3. Transfer all records and funds to the succeeding Treasurer.
  4. The Treasurer's records shall be made available to County Party Officers when requested.
- E. THE COMMITTEE PERSONS SHALL:
- Assist the Voting Precinct Officers and promote candidates and fund-raising activities of the Party within the Voting Precinct. They may be given first preference for the positions of election judges and poll watchers.
- F. THE COUNTY DELEGATE(S) SHALL:
- Attend and vote at all County conventions and give prompt notice to the Voting Precinct Chairperson or Executive Committee when unable to fulfill these duties.